



NATIONAL GUARD BUREAU

1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON VA 22202-3231

NGB-ARH

12 NOV 2009

MEMORANDUM FOR The Military Personnel Management Officers of All States, Puerto Rico, the U.S. Virgin Islands, Guam and the District of Columbia

SUBJECT: Voluntary Selective Continuation of Alerted and Mobilized Army National Guard Lieutenant Colonels and Colonels under the Provisions of Section 14701, Title 10, United States Code (NGB-ARH Policy #09-055)

1. References:

a. Section 14507, Title 10, United States Code.

b. Section 14701, Title 10, United States Code.

c. Title 32, United States Code.

d. Memorandum, ASA (M&RA), SAMR-PO, 19 August 2008, subject: Voluntary Selective Continuation of Alerted and Mobilized Selected Reserve Lieutenant Colonels and Colonels under the Provisions of Section 14701, Title 10, United States Code.

2. This memorandum is effective as the date of its publication and implements the provisions of reference 1.d. The procedures in this memo apply to all eligible Traditional and AGR LTCs and COLs who volunteer to selectively continue or request retirement in lieu of mobilization IAW the current policy established by ASA (M&RA).

3. Implementation of the Voluntary Selective Continuation (VOL SELCON) policy, referenced in paragraph 1.d., is no longer left solely to the States and Territories. Requests for VOL SELCON of eligible officers must be forwarded to NGB-ARH for verification and documentation of eligibility for MRD extension per the ASA (M&RA) policy. After verifying the officer meets the requirements, NGB-ARH will document the MRD extension via memorandum to the State. In cases where NGB-ARH determines that the officer in question does not meet the requirements for VOL SELCON, NGB-ARH will notify the State by memorandum.

4. NGB has implemented this review procedure in order to safeguard the interests of the individual officers concerned, the States/Territories and NGB. This change also will enable the ARNG to comply with HQDA reporting requirements.

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5. ARNGUS LTCs and COLs are subject to limitations on years of service IAW 10 USC 14507. This policy provides for officers to be voluntarily retained on the Reserve Active Status List (RASL) beyond their normal Mandatory Removal Date (MRD). With the consent of the Governor concerned, ARNGUS LTCs and COLs assigned to units or derivative UICs alerted for or ordered to active duty in a designated hostile fire or imminent danger pay (HFP/IDP) area in support of Overseas Contingency Operations (OCO) are authorized VOL SELCON. This includes Traditional, Title 32 AGR and Title 10 AGR officers.
6. Officers serving CO-ADOS tours under the provisions of 10 USC 12301(d) are not authorized SELCON under this policy. Requests for exception will be returned without action.
7. Officers who are continued beyond MRD based on this policy will be retained until 90 days following the end date of the mobilization order. Officers who are continued based on an alert order whose unit alert orders expire, are cancelled, or are suspended for more than 60 days will be separated 90 days after the cancellation, expiration or suspension date of the alert order.
8. Officers continued under this authority will not be extended beyond the date on which an officer attains 33 years commissioned service for LTC, or 35 years for COL.
9. Officers will not be selectively continued under the provisions of this policy if they will reach age 60 prior to the end of their mobilization period. However, officers may request concurrent retention beyond MRD for age. Such requests require ASA (M&RA) approval, and will be considered on a case-by-case basis by NGB-ARH.
10. States are encouraged to submit requests for validation of eligibility for VOL SELCON as early as possible. This may be accomplished during the Alert phase.
11. ASA (M&RA) policy requires each officer selectively continued under this policy be counseled by the first general officer in the chain of command. The counseling must clarify the extension is voluntary, and the officer has a right to decline in accordance with Section 14701, Title 10, United States Code. Officers who decline selective continuation will be separated or retired (if otherwise eligible) IAW applicable law and regulation. The counseling may be verbal, however the officer must sign a written acknowledgement of these provisions. The officer's acknowledgement must be included in the request for verification of eligibility submitted to NGB-ARH.

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12. Military technicians, medical corps, dental corps and chaplain LTCs and COLs will continue to follow current guidance and procedures for retention IAW NGR 635-100.

13. Officers selectively continued under this policy remain eligible to request resignation or retirement (if otherwise eligible) during the period of continuation. Approval of requests for resignation or retirement is subject to the needs of the Army, and requires approval of both the officer's mobilized chain of command and The Adjutant General.


14. All requests for verification of eligibility for VOL SELCON must include:

- a. State Adjutant General's request.
- b. Officer's request. (Must include acknowledgement IAW paragraph 11, above.)
- c. DA 2-1 or Officer Record Brief (ORB).
- d. Retirement Point Accounting Statement (RPAS).
- e. Alert and/or mobilization orders.
- f. DA form 705.
- g. DD 5500/5501 (if applicable).

15. States are not authorized to publish individual mobilization orders or to extend an officer's MRD prior to receipt of the written validation of eligibility from NGB-ARH.

16. Point of contact is Ms. Shirlene Zimmerman, DSN 327-5822 or 703-607-5822.

FOR THE CHIEF, NATIONAL GUARD BUREAU:


MARIANNE E. WATSON
COL, GS
G-1, Army National Guard